

Minutes: REGULAR CITY COUNCIL MEETING, November 7, 1983
Page 1

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD NOVEMBER 7, 1983

PRESENT

Grant S. Nielson	Mayor
Max Bennett	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

ABSENT

Don Bird	Council Member
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OTHERS PRESENT

Jim Allan	City Administrator
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
Ray Valdez	City Building Inspector
Sherri Terrell	City Secretary
Martin Ludwig	Parks & Recreation Board Chairman
Kjell Jenkins	City Resident
Craig Greathouse	City Resident
Jim Fletcher	KNAK Radio
Jim Fletcher, Jr.	
Merlin Christensen	

Mayor Nielson called the meeting to order at 7:03 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body, had been provided to the Millard County Chronicle; the Millard County Gazette; and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

MINUTES

The minutes of a regular City Council Meeting held October 31, 1983, were discussed and corrected by the Council. Councilman Willis Morrison made a MOTION to accept the minutes as corrected. Councilman Max Bennett SECONDED the motion, which passed unanimously.

The minutes of a Public Hearing held May 16, 1983, were discussed and corrected by the Council. Councilman Don Dafoe made a MOTION to accept the minutes as corrected. Council Member Ruth Hansen SECONDED the motion, which carried unanimously.

Minutes: REGULAR CITY COUNCIL MEETING, November 7, 1983
Page 2

UTAH POWER & LIGHT CONTRACT FOR SERVICES TO SEWER LIFT STATION "F"

The Council reviewed a proposed contract for electrical services to Sewer Lift Station "F". Councilman Don Bird MOVED to authorize the Mayor to sign the contract with Utah Power & Light Company for services to Sewer Lift Station "F". Councilman Don Dafoe SECONDED the motion, which carried unanimously.

JUAB COUNTY PAY REQUEST FOR HOUSING PRISONERS

Mayor Nielson stated that Delta City had received a letter from the Millard County Sheriff returning the pay request from Juab County for the housing of prisoners. He stated that the City has never before paid for the housing of prisoners with an analysis of the costs for the prisoners listed on the bill. Councilman Willis Morrison MOVED to authorize the Mayor to answer the Sheriff's letter concerning prisoner housing, indicating that Delta City does not have a contract with either Juab or Millard County, therefore Delta City feels no obligation at this time. Councilman Don Bird SECONDED the motion, which passed unanimously.

FENCE REQUIREMENTS FOR THE 7-11 STORE

Mayor Nielson stated that the Millard School District had made a request that the fence to be put up around the 7-11 store be one that could be seen through instead of putting the wooden slats in the chain link to obscure vision. This matter was tabled for later consideration at the request of City Attorney Peterson.

PARKS ADVISORY BOARD RECOMMENDATION ON APPLICANTS FOR THE PARKS & RECREATION DIRECTOR

At the Mayor's request, Councilman Don Dafoe presented the list of applicants recommended by the Parks & Recreation Advisory Board for the position of Parks & Recreation Director. Councilman Dafoe stated that there had been 24 applicants. The Council asked Dorothy Jeffery to set up interviews Wednesday, November 16, 1983, with the following:

Steven Bonar
Charles Brown
Brad & Sharron Bird

Fredrick Holbreck
Laura Burnham
Jim & Liz Wiscombe

WILFORD JENSEN CONSTRUCTION COMPANY REQUEST FOR PAYMENT FOR WORK COMPLETED ON THE MUNICIPAL OFFICE BUILDING

Mayor Nielson stated that Delta City had received a pay request from Wilford Jensen Construction Company for work completed on the Municipal Office Building. City Building Inspector Ray Valdez stated that he had checked on the construction today and everything seemed to be in order. The Council discussed the pay request. Councilman Don Bird then MOVED and Councilman Don Dafoe SECONDED the motion to pay the requested amount of \$29,812.50. The motion carried unanimously.

Minutes: REGULAR CITY COUNCIL MEETING, November 7, 1983
Page 3

OTHER BUSINESS

Mr. Merlin Christensen, member of the citizen's group opposed to the sale of beer at the 7-11 Store located on Main and Center, asked if the City couldn't get along without beer being sold in proximity of a church and school. He asked if a friendly trial could be arranged with Southland Corporation, Delta City, and the citizen's group stipulating the facts to be submitted to the district court for ruling.

City Attorney Peterson stated that such an approach would reduce the time and cost involved in a trial. He stated that after the concerned parties agree on the facts, the case could be taken to the trial judge for a ruling. City Attorney Peterson explained the court procedures and what may take place in and after court. The Council concurred that they would be willing to consider the approach requested by Mr. Christensen to resolve the lawsuit filed by the citizens' group.

City Recorder Dorothy Jeffery stated that one of the appointed judges for the November 8, 1983, municipal election and the alternate were both unable to serve and asked if the Council would authorize her to appoint June Reid to be an official election judge. Councilman Max Bennett MOVED and Councilman Willis Morrison SECONDED the motion to authorize City Recorder Dorothy Jeffery to appoint June Reid as an election judge. The motion carried unanimously.

The Council discussed the Christmas activities and concurred that there was a need to appoint a Christmas Chairman. Councilman Max Bennett MOVED to appoint Jim Fletcher as Christmas Chairman. Councilman Willis Morrison SECONDED the motion, which passed unanimously.

At 8:42 p.m. Councilman Willis Morrison made a MOTION to go into a closed session to discuss the litigation involving the 7-11 Store beer license and to discuss and make recommendations for negotiations on 4 year IPP funding contract. Councilman Max Bennett SECONDED the motion, which passed unanimously.

Discussion was held in a closed session of a lawsuit naming Southland Corporation and Delta City as defendants contesting approval of a beer license for the 7-11 Store to be located at the corner of Main and Center Streets.

The Council also discussed in a closed session strategies for negotiations with Intermountain Power Agency for impact alleviation funds. This discussion included evaluations of alternatives in funding population growth impacts.

Councilman Max Bennett MOVED to reconvene into an open session. Councilman Willis Morrison SECONDED the motion, which was approved unanimously.

Discussion was held concerning possible annexation of business located in territories adjacent to Delta City.

Minutes: REGULAR CITY COUNCIL MEETING, November 7, 1983

Page 4

Councilman Willis Morrison recommended that the City IPA Negotiation Team obtain from City Engineer John Quick costs of drainage improvements needed to accommodate growth within Delta City and present a proposal for funding of drainage improvements.

Councilman Willis Morrison MOVED to table further consideration of the fence at the 7-11 Store site until Don Bird could be present at the Council Meeting. Councilman Don Dafoe SECONDED the motion, which carried unanimously.

Councilman Max Bennett MOVED to authorize Mayor Nielson to execute an agreement with IPA providing for payment of an advance to Delta City of impact alleviation funds that would be payable under the impact alleviation contracts now being negotiated, subject to approval of the form of the agreement by Attorney Peterson. Councilman Don Dafoe SECONDED the motion, which was approved unanimously.

City Administrator Jim Allan reported that he had investigated alternative computer systems for the City. He advised consideration of a lease, with option to purchase. He reported on two systems: one supplied by Blue Bird and one by IBM. Mr. Allen explained a software exchange program to which several Utah cities are parties. The Council concurred that the cost of a lease purchase program should be compared to the cost of the accounting services being provided by Robison, Hill & Co.

Don Dafoe asked whether any response had been received for Burgoyne Computer, Inc. (BCI). Warren Peterson reported that the certified mail return receipt from the notice sent to BCI had arrived.

Councilman Max Bennett MOVED to adjourn the meeting and Councilman Willis Morrison SECONDED the motion. After the motion was approved unanimously, the Mayor declared the meeting adjourned at 9:45 p.m.


Mayor Grant S. Nielson

City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD NOVEMBER 14, 1983

PRESENT

Grant S. Nielson
Max Bennett
Don Bird
Don Dafoe

Mayor
Council Member
Council Member
Council Member